

2. In § 180.472, by adding new paragraph (f), to read as follows:

**§ 180.472 1-[(6-Chloro-3-pyridinyl)methyl]-N-nitro-2-imidazolidinimine; tolerances for residues.**

\* \* \* \*

(f) Time-limited indirect or inadvertent tolerance: A time-limited tolerance, to expire on December 31, 1996, is established for indirect or inadvertent combined residues of the insecticide 1-[(6-chloro-3-pyridinyl)methyl]-N-nitro-2-imidazolidinimine and its metabolites containing the 6-chloropyridinyl moiety, all expressed as 1-[(6-chloro-3-pyridinyl)methyl]-N-nitro-2-imidazolidinimine, when present therein as a result of the application of the pesticide to growing crops listed in this section and other nonfood crops as follows:

Commodity	Parts per million
Vegetables, cucurbit .....	0.2

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**40 CFR Part 721**

[OPPTS-50601G; FRL-4976-3]

**Ethane, 1,1,1,2,2-pentafluoro-; Revocation of a Significant New Use Rule**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing to revoke a significant new use rule (SNUR) promulgated under section 5(a)(2) of the Toxic Substances Control Act (TSCA) for ethane, 1,1,1,2,2-pentafluoro-, based on receipt of new data. The data indicate that for purposes of TSCA section 5, the substance will not present an unreasonable risk to human health.

**DATES:** Written comments must be received by January 12, 1996.

**ADDRESSES:** All comments must be sent in triplicate to: OPPT Document Control Officer (7407), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 401 M Street, SW., Room G-099, East Tower, Washington, DC 20460.

Comments that are confidential must be clearly marked confidential business information (CBI). If CBI is claimed, an additional sanitized copy must also be

submitted. Nonconfidential versions of comments on this proposed rule will be placed in the rulemaking record and will be available for public inspection. Comments should include the docket control number. The docket control number for the chemical substance in this SNUR is OPPTS-50601G. Unit III of this preamble contains additional information on submitting comments containing CBI.

Comments and data may also be submitted electronically by sending electronic mail (e-mail) to: nctic@epamail.epa.gov. Electronic comments must be submitted as ASCII file avoiding the use of special characters and any form of encryption. Comments and data will also be accepted on disks in WordPerfect in 5.1 file format or ASCII file format. All comments and data in electronic form must be identified by the docket number (OPPTS-50601G). No CBI should be submitted through e-mail. Electronic comments on this proposed rule may be filed online at many Federal Depository Libraries. Additional information on electronic submissions can be found in Unit IV of this document.

**FOR FURTHER INFORMATION CONTACT:** Susan B. Hazen, Director, Environmental Assistance Division (7408), Office of Pollution Prevention and Toxics, Environmental Protection Agency, Rm. E-543A, 401 M St., SW., Washington, DC 20460, Telephone: (202) 554-1404, TDD: (202) 554-0551; e-mail: TSCA-Hotline @epamail.epa.gov.

**SUPPLEMENTARY INFORMATION:** In the Federal Register of September 23, 1992 (57 FR 44064), EPA issued a SNUR (FRL-4001-2) establishing significant new uses for ethane, 1,1,1,2,2-pentafluoro-. Because of additional data EPA has received for this substance, EPA is proposing to revoke this SNUR.

**I. Proposed Revocation**

EPA is proposing to revoke the significant new use and recordkeeping requirements for ethane, 1,1,1,2,2-pentafluoro- under 40 CFR part 721, subpart E. In this unit, EPA provides a brief description for the substance, including its premanufacture notice (PMN) number, chemical name (generic name if the specific name is claimed as CBI), CAS number (if assigned), basis for the revocation of the section 5(e) consent order for the substance, and the CFR citation removed in the regulatory text section of this proposed rule. Further background information for the substance is contained in the rulemaking record referenced in Unit IV of this preamble.

**PMN Number: P-91-1392**

**Chemical name:** Ethane, 1,1,1,2,2-pentafluoro-.  
**CAS Registry Number:** Not available.  
**Effective date of revocation of section 5(e) consent order:** February 21, 1995.  
**Basis for revocation of section 5(e) consent order:** The order was revoked based on test data submitted under the terms of the consent order. Based on the Agency's analysis of the submitted data, EPA can no longer support a finding that the manufacture, processing, distribution in commerce, use, or disposal of the PMN substance may present an unreasonable risk to human health. Accordingly, EPA has determined that further regulation under section 5(e) is not warranted at this time.

**Toxicity testing results:** The PMN substance P-91-1392 was tested in a cardiac sensitization study (epinephrine challenge in dogs), a 90-day inhalation toxicity study in rats, and a developmental inhalation toxicity study (rats and rabbits). The 90-day subchronic study showed that there were no observable adverse effects at concentrations up to 50,000 parts per million (ppm). There were no observed developmental toxicity effects at concentrations up to 50,000 ppm in the developmental toxicity study. There was evidence of maternal toxicity at 50,000 ppm but no maternal effects noted at 15,000 ppm. The PMN substance P-91-1392 was found to be a cardiac sensitizer when exposures occurred at a 10 percent concentration in air (100,000 ppm) for 10 minutes. Lower exposures did not elicit a sensitization response.

**CFR Number:** 40 CFR 721.3240

**II. Background and Rationale for Proposed Revocation of the Rule**

During review of the PMN submitted for the chemical substance that is the subject of this proposed revocation, EPA concluded that regulation was warranted under section 5(e) of TSCA pending the development of information sufficient to make a reasoned evaluation of the environmental effects of the substance, and that the substance is expected to be produced in substantial quantities and there may be significant or substantial human exposure. EPA identified the tests necessary to make a reasoned evaluation of the risks posed by the substance to the human health. Based on these findings, a section 5(e) consent order was negotiated with the PMN submitter and a SNUR was promulgated.

EPA reviewed testing conducted by the PMN submitter pursuant to the

consent order for the substance and determined that the information available was sufficient to make a reasoned evaluation of the health effects of the substance. EPA concluded that, for the purposes of TSCA section 5, the substance will not present an unreasonable risk and consequently revoked the section 5(e) consent order. The proposed revocation of SNUR provisions for the substance designated herein is consistent with the revocation of the section 5(e) order.

In light of the above, EPA is proposing a revocation of SNUR provisions for this chemical substance. When this revocation becomes final, EPA will no longer require notice of any company's intent to manufacture, import, or process this substance. In addition, export notification under section 12(b) of TSCA will no longer be required.

### III. Comments Containing Confidential Business Information

Any person who submits comments claimed as CBI must mark the comments as "confidential," "trade secret," or other appropriate designation. Comments not claimed as confidential at the time of submission will be placed in the public file. Any comments marked as confidential will be treated in accordance with the procedures in 40 CFR part 2. Any party submitting comments claimed to be confidential must prepare and submit a public version of the comments that EPA can place in the public file.

### IV. Rulemaking Record

The record for the rule which EPA is proposing to revoke was established at OPPTS-50601 (P-91-1392). This record includes information considered by the Agency in developing the rule and includes the test data that formed the basis for this proposal.

A record has been established for this rulemaking under docket number OPPTS-50601G (including comments and data submitted electronically as described below). A public version of this record, including printed, paper versions of electronic comments, which does not include any information claimed as CBI, is available for inspection from 12 noon to 4 p.m., Monday through Friday, excluding legal holidays. The public record is located in the TSCA Nonconfidential Information Center, Rm. NE-B607, 401 M St., SW., Washington, DC 20460.

Electronic comments can be sent directly to EPA at:  
ncic@epamail.epa.gov

Electronic comments must be submitted as an ASCII file avoiding the

use of special characters and any form of encryption.

The official record for this rulemaking, as well as the public version, as described above will be kept in paper form. Accordingly, EPA will transfer all comments received electronically into printed, paper form as they are received and will place the paper copies in the official rulemaking record which will also include all comments submitted directly in writing. The official rulemaking record is the paper record maintained at the address in "ADDRESSES" at the beginning of this document.

### V. Regulatory Assessment Requirements

EPA is proposing to revoke the requirements of the rule. Any costs or burdens associated with the rule will also be eliminated when the rule is revoked. Therefore, EPA finds that no costs or burdens must be assessed under Executive Order 12866, the Regulatory Flexibility Act (5 U.S.C. 605(b)), or the Paperwork Reduction Act (44 U.S.C. 3501 et seq.).

#### List of Subjects in 40 CFR Part 721

Environmental protection, Chemicals, Hazardous materials, Reporting and recordkeeping requirements, Significant new uses.

Dated: December 5, 1995.

Charles M. Auer,

*Director, Chemical Control Division, Office of Pollution Prevention and Toxics.*

Therefore, it is proposed that 40 CFR part 721 be amended as follows:

#### **PART 721—[AMENDED]**

1. The authority citation for part 721 would continue to read as follows:

Authority: 15 U.S.C. 2604, 2607, and 2625(c).

#### **§ 721.3240 [Removed]**

2. By removing § 721.3240.

[FR Doc. 95-30371 Filed 12-12-95; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

#### 49 CFR Part 571

[Docket No. 92-29; Notice 8]

RIN 2127-AG06

### Federal Motor Vehicle Safety Standards; Stability and Control of Medium and Heavy Vehicles During Braking

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), DOT.

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This document responds to petitions for reconsideration of a March 1995 final rule amending Standard No. 121, *Air Brake Systems*, to require, among other things, the installation of antilock brake systems (ABS) on medium and heavy vehicles and the installation of external ABS malfunction indicator lamps on trailers and trailer converter dollies. This document proposes to amend the Standard to specify the location, color, activation protocol, and intensity of the lamps.

**DATES:** Comments must be received on or before February 12, 1996.

**ADDRESSES:** Comments should refer to the docket and notice numbers above and be submitted to: Docket Section, National Highway Traffic Safety Administration, 400 Seventh Street, S.W., Washington, D.C. 20590. Docket hours are 9:30 a.m. to 4 p.m., Monday through Friday.

**FOR FURTHER INFORMATION CONTACT:** *For non-legal issues:* Mr. George Soodoo, Office of Crash Avoidance, National Highway Traffic Safety Administration, 400 Seventh Street, SW., Washington, D.C. 20590 (202) 366-5892. FAX (202) 366-4329.

*For legal issues:* Mr. Marvin L. Shaw, NCC-20, Rulemaking Division, Office of Chief Counsel, National Highway Traffic Safety Administration, 400 Seventh Street, SW., Washington, D.C. 20590 (202) 366-2992.

#### I. Background

On March 10, 1995, NHTSA published a final rule amending Federal Motor Vehicle Safety Standard (FMVSS) No. 121 to require medium and heavy vehicles to be equipped with an antilock brake system (ABS) (60 FR 13216). The final rule also required that these vehicles be equipped with lamps to alert their drivers of ABS malfunctions. Trailers produced during an interim eight-year period are required to be